

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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|--|---|-------------------------------|
| ASSOCIATION OF NEW JERSEY |) | |
| RIFLE & PISTOL CLUBS, INC., |) | |
| |) | |
| BLAKE ELLMAN, <i>and</i> |) | HON. PETER G. SHERIDAN, |
| |) | U.S.D.J. |
| ALEXANDER DEMBOWSKI, |) | |
| |) | HON. LOIS H. GOODMAN, |
| <i>Plaintiffs,</i> |) | U.S.M.J. |
| |) | |
| v. |) | |
| GURBIR GREWAL, in his official |) | CIVIL ACTION NO. 18-cv-10507 |
| capacity as Attorney General of New |) | |
| Jersey, |) | |
| PATRICK J. CALLAHAN, in his |) | <u>CIVIL ACTION</u> |
| official capacity as Superintendent of |) | |
| the New Jersey Division of State |) | (ELECTRONICALLY FILED) |
| Police, |) | |
| THOMAS WILLIVER, in his official |) | |
| capacity as Chief of Police of the |) | |
| Chester Police Department, <i>and</i> |) | |
| |) | |
| JAMES B. O'CONNOR, in his official |) | |
| capacity as Chief of Police of the |) | |
| Lyndhurst Police Department, |) | |
| | | |
| <i>Defendants.</i> | | |

**DECLARATION OF DANIEL L. SCHMUTTER
IN SUPPORT OF PLAINTIFFS'
UNOPPOSED MOTION FOR EXTENSION OF PAGE LIMIT**

1. I, Daniel L. Schmutter, am an attorney at the law firm of Hartman & Winnicki, P.C., attorneys of record for Plaintiffs in the above-titled action. I am

licensed to practice law before the United States District Court for the District of New Jersey. I have personal knowledge of the facts set forth herein and, if called and sworn as a witness, could and would testify competently thereto.

2. This case presents the important question of whether the United States Constitution allows the State of New Jersey to ban ammunition magazines capable of holding more than 10 rounds of ammunition and to require citizens who lawfully acquired such magazines before the ban was enacted to either dispose of them or permanently alter them such that they no longer can accept more than 10 rounds.

3. The briefing to which Plaintiffs' reply will be responding is extensive. Yesterday, pursuant to the schedule established by this Court, the State Defendants filed their response to Plaintiffs' motion for a preliminary injunction. The State Defendants' brief in support of that motion is 40 pages in length, the maximum length allowed by the local rules. That brief is supported by declarations of over 60 pages, excluding exhibits. Today, two amici supporting the State filed proposed briefs that, combined, span an additional 50 pages.

4. By default, the length of Plaintiffs' reply is limited to 15 pages. *See Civ. Rule 7.2(b).* Plaintiffs request an additional 5 pages, for a new limit of 20 pages. This modest request is eminently reasonable in light of the nature of the issues presented and the extensive briefing submitted in opposition to Plaintiffs' motion, and Plaintiffs respectfully submit that the relief they are requesting will assist the Court

in its resolution of the preliminary injunction motion.

5. Counsel for all Defendants have indicated that they consent to Plaintiffs' request for a 5-page extension of the page limits.

I declare under penalty of perjury that the foregoing is true and correct.

Executed within the United States.

/s/ DANIEL L. SCHMUTTER

July 6, 2018

Daniel L. Schmutter

Date